

UNITED STATES DISTRICT COURT  
for the  
Southern District of Indiana

United States of America )  
v. )  
 ) Case No.  
 ) 1:21-mj-00702  
 )  
Charles Stalanaker, )  
 )  
\_\_\_\_\_  
*Defendant(s)*

**CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of July 20, 2021 in the county of Hamilton in the  
Southern District of Indiana, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
18 U.S.C. § 922(g)(1)	Possession of a Firearm by a Convicted Felon

This criminal complaint is based on these facts:

See Attached Affidavit

Continued on the attached sheet.

/s/ Todd Bevington

*Complainant's signature*

SA Todd Bevington, ATF

*Printed name and title*

Attested to by the applicant in accordance with the requirements of Fed.R.Crim.P. 4.1 by  
telephone (*reliable electronic means*)

Date: 7/29/2021

City and state: Indianapolis, Indiana

*Paul R. Cherry*  
Paul R. Cherry /  
United States Magistrate Judge  
Southern District of Indiana



**AFFIDAVIT IN SUPPORT OF APPLICATION FOR CRIMINAL COMPLAINT**

Your Affiant, Todd J. Bevington, being duly sworn, does depose and state as follows:

**Affiant Background and Purpose of Affidavit**

1. I, Todd J. Bevington, am a Special Agent (SA) with the Bureau of Alcohol, Tobacco, Firearms and Explosives (“ATF”) and have been so employed since December of 2013. Prior to joining the ATF, I was a police officer and detective with the Richmond, Virginia, Police Department for over thirteen years. I graduated from the Federal Law Enforcement Training Center and am currently assigned to the ATF-Indianapolis Field Office. I have participated in numerous state and federal firearms and narcotics investigations.

2. This affidavit is submitted in support of a criminal complaint charging Charles STALANAKER D.O.B. XX/XX/1964 with Possession of a Firearm by a Convicted Felon in violation of Title 18, United States Code, Section 922(g)(1). The information contained in the below numbered paragraphs is either personally known to your Affiant or told to your Affiant by other law enforcement officers.

3. This Affidavit does not set forth every fact your Affiant has learned during this investigation, but rather is provided solely for establishing probable cause in support of the application for a Complaint in this matter.

**Facts and Circumstances Supporting Probable Cause**

4. On July 19, 2021, ATF agents obtained a federal search warrant for the residence of 17623 Washington Street, Westfield, Indiana; located within the Southern District of Indiana. Charles STALANAKER was the target of the search warrant.

5. On July 20, 2021, ATF Special Agent (SA) Todd Bevington was conducting surveillance on the Washington Street residence. At approximately 8:30 AM, SA Bevington observed STALANAKER leave the residence in a vehicle. SA Bevington followed STALANAKER to a nearby gas station where SA Bevington observed a female, Krista Fox, exit the vehicle and enter the gas station. SA Bevington was aware that Fox was wanted on numerous outstanding felony arrest warrants from Hamilton County, Indiana.

6. SA Bevington maintained surveillance on STALANKER and Fox and followed their vehicle until Westfield Police Department (WPD) officers initiated a traffic stop on the vehicle. WPD officers placed Fox under arrest for her outstanding warrants and STALANAKER was detained at the scene of the traffic stop.

7. SA Bevington explained to STALANAKER that he was not under arrest but that he was being detained and was not free to leave. This was based on SA Bevington's knowledge that he STALANAKER was a felon who possessed firearms. SA Bevington advised STALANAKER of his *Miranda* warnings to which STALANKER indicated he understood and STALANAKER agreed to speak with SA Bevington. SA Bevington explained to STALANAKER that a search warrant had been obtained for his residence to search for illegal firearms. STALANKER told SA Bevington that there were five to six firearms in his residence and stated he was a convicted felon.

8. Investigators transported STALANAKER back to his residence and executed the search warrant at approximately 10:00 a.m. STALANAKER opened the door to the residence utilizing a key from his key chain and no other individuals were located inside the residence.

9. Once inside the residence, STALANKER directed investigators to numerous ‘long’ guns that were sitting in a crib inside his bedroom. STALANAKER stated his DNA and fingerprints “should” be on the firearms as he had handled the firearms approximately one month prior. STALANAKER told investigators that FOX had a pistol inside the residence but STALANKER was unaware of the exact location of the firearm.

10. STALANAKER then utilized the combination to unlock a large gun safe that was sitting next to the bed in his bedroom. Investigators located several more firearms and assorted ammunition inside the safe. STALANKER stated most of the guns previously belonged to his deceased father but stated he had purchased one of the shotguns inside the safe from an individual a couple of years ago and had obtained another gun in a trade with another individual. STALANAKER stated he had handled the firearms in the safe approximately a month and a half ago and stated his DNA and fingerprints would be on the firearms.

11. STALANKER then utilized a key from his keychain to unlock and padlocked storage container on the floor next to the gun safe in his bedroom. Inside the storage container, investigators located three pistols and assorted ammunition and firearms accessories. STALANAKER told investigators that he had previously shot several of his firearms on his property for “target practice.”

12. Agents recovered a total of twenty-two (22) firearms from STALANAKER’s bedroom, to include a Mag Tactical Systems, model MG-G4, .223 rifle, serial #MTS04820. Two of the firearms recovered had been previously reported as stolen to law enforcement. A review of STALANAKER’s computerized criminal history (CCH) showed that STALANAKER had knowingly sustained felony convictions in Indiana for Possession of

Methamphetamine under cause #29D04-2008-F6-005025 and Theft under cause #29D04-1907-F6-005373. Further, STALANAKER was on court ordered probation in Hamilton County, Indiana at the time of this offense.

13. As to the firearm referenced in this Affidavit, an interstate nexus expert with ATF reviewed the firearm's characteristics and determined that the firearm was not manufactured in the state of Indiana. By virtue of its presence in the State of Indiana, therefore, the firearm had to have been transported or shipped in interstate or foreign commerce.

14. All of the above incidents occurred within the Southern District of Indiana.

### **Conclusion**

15. Based on the facts set forth in this affidavit, your Affiant submits that probable cause exists that on July 20, 2021, in the Southern District of Indiana, Charles STALANAKER did commit the crime of Possession of a Firearm by a Convicted Felon, in violation of Title 18, U.S.C., § 922(g)(1) as described above. Accordingly, your Affiant requests this Court issue a Criminal Complaint charging STALANAKER with this crime, along with a warrant for his arrest.

/s/ Todd Bevington  
Todd Bevington, Special Agent  
Bureau of Alcohol, Tobacco, Firearms, and Explosives

Attested to by the applicant in accordance with the requirements of Fed.R.Crim.P. 4.1 by telephone.

Date: 7/29/2021

